

**Jack Angello**

---

**From:** Marian Tudela  
**Sent:** Tuesday, June 04, 2002 8:05 AM  
**To:** (1) Saipan Campus; (2) Tinian Campus; (3) Rota Campus  
**Subject:** dean of continuing education



image001.wmz



image002.gif



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## Northern Marianas College

### Office of the President

P.O. Box 501250 • Saipan, MP 96950 U.S.A. • Phone: (670) 234-5498  
Fax: (670) 234-1270 • Web Site: [www.nmcnet.edu](http://www.nmcnet.edu)

**TO:** All NMC employees  
**FROM:** Barbara G. Moir, Ph.D.  
Interim President  
**SUBJECT:** Appointment of new Dean of Continuing Education  
**DATE:** June 3, 2002

Effective today, June 3, 2002, Mr. Joaquin M. Sablan, Jr. is our new Dean of Continuing Education. Please extend your usual support and cooperation to Mr. Sablan as he assumes his important responsibilities.

Thank you.





## NORTHERN MARIANAS COLLEGE

P. O. Box 501250, Saipan, MP 96950  
World Wide Web Site: [www.nmcnet.edu](http://www.nmcnet.edu)  
Telephone: (670) 234-3690 • Fax: (670) 234-0759

June 17, 2002

**VIA FAX 233-1250**

Mr. Danilo Aguilar, Esq.  
PMB 886, Box 10001  
Saipan, MP 96950

pages: 6

Dear Mr. Aguilar:

For your information, attached are the Board of Regents Policies regarding "Employee Grievances Not Related to Suspension or Termination." As you can see in BOR 4369, D., The Employees Appeals Committee must meet within fifteen (15) days after employee's request (my request was stamped ~~6/4/02~~ 6/4/02). Therefore, they normally would meet by 6/19/02, but the last minute HRO ASAP notification prompted me to notify you immediately, and HRO responded in an adversarial manner, i.e., see 6/17 e-mail.

I have a few problems with our HRO: 1) They call you twice in one morning and expect you to come running; and 2) HRO will unilaterally schedule a hearing and only invite you. Shouldn't I be there, too?

HRO 4360, D., allows the employee to request a longer period than fifteen (15) days, and in consideration of your recent retainment, I'll request a delay as you see fit. I will need some time for letter gathering, etc. Furthermore, since I listed HRO as part of my grievance, since they delayed this matter for over a year and have improperly disqualified me from two recent job interviews, I kindly request that you advise the Board of Regents about the HRO Director's e-mail of 6/17/02 and his bias toward me, and also advise them that HRO can't deny my presence at my own hearing. Thanks.

Sincerely,

Dr. Jack Angello

attachments

p.s. I'll be off-island on 6/18/02



**Jack Angello**

**From:** Kohne Ramon  
**Sent:** Monday, June 17, 2002 11:30 AM  
**To:** Jack Angello  
**Subject:** RE: Please come by HRO ASAP!!!

Dear Jack:

3 I was going to work with you to schedule the Appeals Committee Hearing on your grievance. I believe I do not have to deal with a busy lawyer in setting up a time and place for that hearing. In fact this morning we called twice and left messages for him to call back. You do realize that these arrangements, to be done by HRO, ensures that you receive due process given in our Board of Regents policy. But since you have stated so, I will proceed with the scheduling and just invite Mr. Aguilar.

Kohne

-----Original Message-----

**From:** Jack Angello  
**Sent:** Monday, June 17, 2002 9:41 AM  
**To:** Polly Deleon Guerrero  
**Cc:** Kohne Ramon  
**Subject:** RE: Please come by HRO ASAP!!!

Dear HRO:

re: Grievance

2 I retained an attorney, Mr. Danilo Aguilar, last Friday (6/14), and he sent a letter that day to the BOR and NMC, requesting all communications be directed to his office. I just spoke with him and he requested Kohne to contact him at 233-8801.

Dr. Jack Angello

.....  
**From:** Polly Deleon Guerrero  
**Sent:** Monday, June 17, 2002 9:30 AM  
**To:** Jack Angello  
**Subject:** Please come by HRO ASAP!!!  
**Importance:** High

Good morning Dr. Angello,

1 Mr. Ramon needs to see you ASAP. Once you receive this message, please come by HR to see him. It is important that he meets with you regarding your grievance.

Thank you,

*Polly B. Deleon-Guerrero*

Personnel Specialist, HR Office  
P.O. Box 501250 CK  
Saipan, MP 96950  
Telephone: (670) 234-5498 ext. 1021  
Fax: (670) 234-0759  
<http://www.nmcnet.edu>



Law Offices of  
**DANILO T. AGUILAR**

PMB 886, Box 10001  
SAIPAN, MP 96950

Tel: (670) 233-8801

Fax: (670) 233-1250

E-mail: dan\_aguilar1@yahoo.com

Danilo T. Aguilar \*

June 18, 2002

**VIA FACSIMILE AND CONFIRMATION BY MAIL**  
**(670) 234-1270**

Board of Regents  
NORTHERN MARIANAS COLLEGE  
P.O. Box 1250  
Saipan, M.P. 96950

**RE: Grievance of Dr. Jack Angello.**

Dear Mr. Chairman and Members of the Board:

I have been recently retained by Mr. Jack Angello to represent him in his grievance filed against Ms. Moir and the Human Resources Office (HRO).

I am attaching for your review a copy of e-mail communication between the HRO and Dr. Angello with regard to the handling of his grievance. I would specifically note the e-mail at the top of the page from Kohne Ramon to Dr. Angello regarding scheduling of a hearing and the obvious expression of anger by Kohne Ramon.

At this point, I am not sure why Kohne Ramon insists upon an immediate hearing when this grievance was sitting around since last year. Dr. Angello retained my services last Friday, June 14, 2002 to examine the documentation regarding his grievance and to prepare for presentation of his grievance to the Board of Regents. It is my impression that the HRO wants to schedule a hearing on the grievance without the input of myself or that of Dr. Angello on mutually convenient time for all the parties involved. The HRO claims that the matter should be scheduled as soon as possible to ensure that Dr. Angello receives "due process".

I simply find the attitude of Kohne Ramon to be unprofessional. Nothing would be served by a unilateral scheduling of a hearing that Dr. Angello or I may not be able to attend. To put the matter another way, Kohne Ramon subverts due process by acting this way.

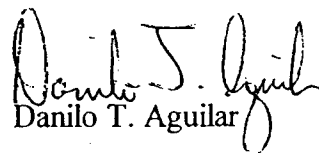
I request that the Board of Regents intervene in this matter in order to preserve Dr. Angello's rights. This may require nothing less than a directive to Kohne Ramon and the HRO to work with myself and Dr. Angello to set the date and time for a



hearing on the grievance. Dr. Angello will waive the 15 day mandatory hearing period to accommodate the various needs of the parties.

If you should have questions, do not hesitate to contact me at your convenience.

Very truly yours,

  
Danilo T. Aguilar

Cc: Dr. Angello

# NORTHERN MARIANAS COLLEGE

DIVISION OF INSTRUCTION

6/24/02

TO: FILE

FROM: DIRECTOR OF VOCATIONAL EDUCATION

SUBJ: HRO'S EVALUATION PROCESS



I have been evaluated my HRO in a variety of ways the past few years here at NMC, and mostly to my detriment.

## Initial Hiring at NMC:

1. June 6, 1996: Hired: Director (EdD, admin exp. & 4+yrs. of teaching exp.

## Timeline for Promotion Seeking:

1. 1997: Applied and qualified for Vice President job: EdD, admin. exp., and three+ years of teaching exp.
2. 1998 Applied and qualified for Dean of Continuing Education job: EdD, admin exp., and three + years of teaching experience.

Note: In 1999, I won a settlement in a grievance against B. Moir & NMC. After which, the following incidents occurred:

3. 2000 Applied and NOT qualified for Vice President's position. Reason: I do NOT have TWO years of teaching experience.
3. 2002 Applied and NOT qualified for Dean of Continuing Education. Reason: I do not have three years of teaching experience.
4. 2002 Applied and NOT qualified for President's job. Reason: I don't have five years of teaching experience. I have 4+, then 2 & 1/2.



page two

President's Application: Actual Teaching/Training Experience =  
Secondary: 5 yrs.  
Post Secondary: 5+ yrs.

- \*HRO Evaluation: 4 yrs., then 2 & 1/2
- \*No military teaching granted
- \*No Voc Ed co-teaching granted.
- \*No training experience, as a manager or educational administrator, is granted.

Note: Inspection of J.A. personnel file shows documents from 1992-1996 are missing.

In conclusion, I properly informed our NMC's Human Resources Director, Mr. Kohne Ramon, that I had an attorney representing me, and Attorney Aguilar instructed me to have all communications directed through his office. Mr. Ramon took "exception" to my right to have legal representation, and even went so far as to state that I would be excluded from my own hearing (please attached e-mail dated 6/17/02).



Dr. Jack Angello

attachments

cc: BOR Special Assistant (for BOR Personnel Chairperson)  
Legal Counsel



# Northern Marianas College

P.O. Box 501250 • Saipan, MP 96950 U.S.A. • Phone: (670) 234-5498  
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July 22, 2002

Dr. John Angello  
P.O. Box 501149  
Saipan, MP 96950

Dear Dr. Angello:


Thank you for your application for the position of President for Northern Marianas College.

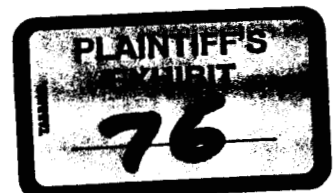
After a review of your credentials relative to the requirements of the position, we are sorry that you did not make the eligibility list. The position specifically states that a minimum requirement of five years post secondary teaching is required.

However, we encourage prospective employees to continue looking out for vacancies on our website and inform our office of specific positions in which you are interested.

Your application will be kept in our active files for consideration for future vacancies for which you may qualify.

Sincerely,

  
Kohne K. Ramon  
Director, Human Resources





Northern Marianas College  
Office of Human Resources

QUALIFICATION EVALUATION WORKSHEET

Name DR JOHN ANGELLO Appl 1 / 1 EE 1 / 1  
Vacancy / Position PRESIDENT EA / PC # 02-021

I. Comparative Quantitative Summary: Position vs. Applicant:

CV <input checked="" type="checkbox"/>	Position	Applicant	
Letter <input checked="" type="checkbox"/>	Requirements	Qualifications	Comments
Trans <input checked="" type="checkbox"/> incomplete info		(Full & Partial)	
Refs <input checked="" type="checkbox"/> All NMCA EMPLOYEES		ED.D. '96 U. of Southern California	
Education:	<u>MA</u>	<u>MA '89 Education (Instructional Tech)</u>	<u>San Jo</u>
Experience:	<u>5 Admin</u>	<u>8-6</u>	
Others:	<u>5 PST</u>	<u># 2 yrs. lomo.</u>	
Numerical Comparison	<u>12 yrs</u>	<u>14.6 years</u>	

(Substitution) 1982 is questionable. Even if we give him partial credit, he'll be 6 months short.

II. Placement:

- a. Meets Qualifications Requirements? Yes 1 / 1 No. 1 / 1  
b. If yes, exceeds by how many years / months: Yrs      Mos       
c. If no to #1 above, lacks how many years / months: Yrs      Mos       
d. Salary (PI and step) qualified for:



ADC  
Reviewing Personnel Specialist

5/14/02  
Date

[Signature]  
Approving Personnel Supervisor

6/23/02  
Date

Ed. Admin:

1989 Via Principal @ MHS 1 yr.  
Principal @ Tilton HS. 1/2 → 1 year  
96/02 Director of Apprenticeship Trades 6 yrs

PST:

1982 Cooperative Education Inst. Oregon State University  
4 CPMI Governor's Office

1988 IT Lab Asst/Instructor @ San Jose State University  
1 year/2 → 6 mos → Lab Asst / MA Prog  
6 mos → Instructor

1990/1992 NMC Instructor  
2/2 → 1 year PST

98-2000 NMC Instructor @ Adult School  
2/2 → 1 PST

1998-99 NMC + UOS Instructor  
1/2 → 6 mos → Director  
6 mos → Instructor PST

00-02 NMC Co-Instructor - NO RECORD  
~~2/2 → 1 year PST~~

Admin → 8.6 years

PST → ~~1 year~~ 2 years, 6 months



**THE SENATE**  
**THIRTEENTH NORTHERN MARIANAS COMMONWEALTH**  
**LEGISLATURE**

**SENATE JOINT RESOLUTION NO. 13-6**

**A SENATE JOINT RESOLUTION**

Requesting that the Northern Marianas College and its Board of Regents acknowledge and implement the mandate of Public Law 9-53, Section 4 Part 2, "...to establish a vocational, occupational and technical, training center and professional development institute (hereinafter referred to as "institute") within the Northern Marianas College;" and for other purposes.

**Offered by Senator(s):** Jose M. Dela Cruz

**Date:** August 8, 2002

**IN THE SENATE**

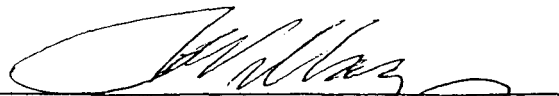
**Standing Committee Report:** None

**Adoption Date:** August 8, 2002

**IN THE HOUSE OF REPRESENTATIVES**

**Standing Committee Report:** None

**Adoption Date:** September 3, 2002

  
**THOMAS P. VILLAGOMEZ**  
Senate Legislative Secretary



**THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**SECOND REGULAR SESSION, 2002**

**SENATE JOINT  
RESOLUTION NO. 13-6**

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**A SENATE JOINT RESOLUTION**

Requesting that the Northern Marianas College and its Board of Regents acknowledge and implement the mandate of Public Law 9-53, Section 4 Part 2, "...to establish a vocational, occupational and technical, training center and professional development institute (hereinafter referred to as "institute") within the Northern Marianas College;" and for other purposes.

1       WHEREAS, the Legislature has identified the overwhelming need for a vocational  
2 and technical "institute" hereinafter referred to as the Northern Marianas College Vocational  
3 and Technical Institute or "Institute" for CNMI residents; and

4       WHEREAS, the Northern Marianas College (NMC) has been given the task to  
5 provide this training through the mandates of Article XV § 2(b) of the CNMI Constitution  
6 and Public Law 9-53, the "Higher Education Act of 1995". However, the Legislature finds  
7 that the vocational, occupational and technical division of the Northern Marianas College  
8 Vocational and Technical Institute has been neglected, discriminately abused of discretion  
9 by the Management and alarmingly not getting enough or virtually NIL funding to properly  
10 function as originally intended and prescribed in PL 5-32, PL 9-53 and PL 10-66,  
11 specifically and exclusively to finance programs aimed at alleviating the shortage of resident  
12 workers and reducing the need for nonresident workers; and

S.J.R. NO. 13-6

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1 WHEREAS, the Legislature is in full support of this concept of modern training for  
2 all CNMI residents, which is mandated via the college vocational institute and its working  
3 affiliation (2+2 Program) with the Public School System; and

4 WHEREAS, the Institute will also cater to students from abroad, (Japan and or  
5 Korea) in the form of students exchange programs and form cooperative business  
6 arrangements in order to foster and stimulate the CNMI business community; and

7 WHEREAS, the Institute, which will be administered by a Director of Vocational &  
8 Technical Education, shall report to the Board of Regents through the NMC President, and  
9 will have a separate budget derived from and not less than 25% of the fees collected as  
10 stipulated in Public Law 5-32, as amended by Public Law 10-66; and

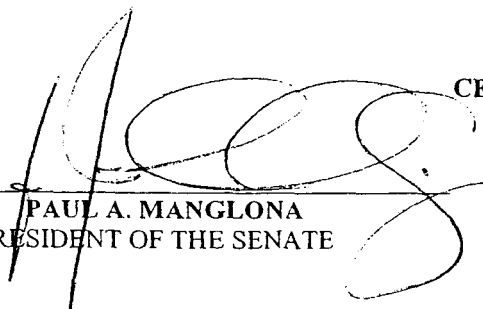
11 WHEREAS, the Institute will submit an annual report to the Legislature, detailing  
12 the fiscal year's activities; now, therefore

13 BE IT RESOLVED, by the Senate, Thirteenth Northern Marianas Commonwealth  
14 Legislature, the House of Representatives concurring, that the Senate hereby urgently  
15 requests that the NMC Board of Regents adhere to the CNMI Constitution and adopt the  
16 mandate of Public Law 9-53, which officially legislates the implementation of the NMC  
17 Vocational & Technical Institute. The NMC Vocational & Technical Institute shall be  
18 organized within sixty days of receipt of this resolution; and  
19

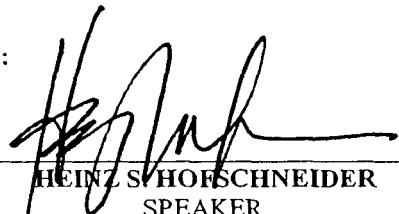
S.J.R. NO. 13-6

1 BE IT FURTHER RESOLVED, that the President of the Senate and the Speaker of  
2 the House of Representatives shall certify, and the House Clerk and the Senate Legislative  
3 Secretary shall attest to the adoption of this resolution, and the Senate Clerk shall thereafter  
4 transmit certified copies to Juan N. Babauta, the Governor of the Commonwealth of the  
5 Northern Mariana Islands; Paul A. Manglona, President of the Senate; Pedro A. Tenorio,  
6 Washington Resident Representative; Kimberly K. Hinds, NMC Board of Regents Acting  
7 Chairperson; and Dr. Kenneth E. Wright, President of the Northern Marianas College.

ADOPTED BY THE SENATE ON AUGUST 8, 2002  
AND BY THE HOUSE OF REPRESENTATIVES ON SEPTEMBER 3, 2002

  
PAUL A. MANGLONA  
PRESIDENT OF THE SENATE

CERTIFIED BY:

  
HEINZ S. HOFSCHEIDER  
SPEAKER  
HOUSE OF REPRESENTATIVES

ATTESTED BY:

  
THOMAS P. VILLAGOMEZ  
SENATE LEGISLATIVE SECRETARY

  
EVELYN C. FLEMING  
HOUSE CLERK

# NORTHERN MARIANAS COLLEGE

## DIVISION OF INSTRUCTION

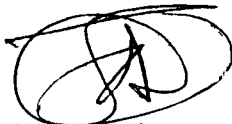
9/3/02

TO: PRESIDENT  
FROM: DIRECTOR OF VOCATIONAL EDUCATION  
SUBJ: VOCATIONAL EDUCATION

### DISCUSSION POINTS

WITH ATTACHMENTS

1. Public Law 9-53, NMC Mission Statement, Public Auditor's Report No. M-01-03, Legislative Position: Vocational Education
2. NMC Vocational Budgetary Matters (Saipan, Tinian, Rota)
3. Workforce Investment Agency (WIA) MOU
4. Documents in Support of Vocational Education
5. NMC/CNMI Background Support of NMC/Pacific Rim Academy
6. NMC/Pacific Rim Academy Joint Venture



Dr. Jack Angello

attachments





COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO  
Governor

Cable Box 10  
Saipan, MP 96901  
Telephone: (670) 322-5000  
Fax: (670) 322-5000

JESUS C. BORJA  
Acting Governor

28 SEP 1995

The Honorable Juan S. Demapan  
President of the Senate  
Ninth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Diego T. Benavente  
Speaker of the House of Representatives  
Ninth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

P.L. 9-53

Dear Mr. President and Mr. Speaker:

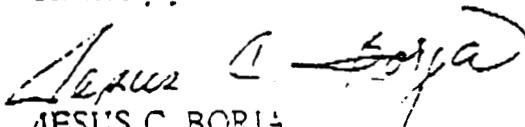
This is to inform you that I have signed into law House Bill No. 9-442 ("H.B. 9-442"), entitled the "Higher Education Act of 1995," which was passed by the Ninth Northern Marianas Commonwealth Legislature.

The Legislature should be commended for quickly amending H.B. 9-377 which was vetoed by the Governor on June 6, 1995. The Governor vetoed H.B. 9-377 primarily on the basis upon which it conflicted with Section 211 of Executive Order 94-3 which pertains to scholarship policy and administration. Therefore, by revising Section 6 of H.B. 9-377 (which amends 3 CMC §1316(d)), the Legislature has struck a more even-handed balance of functions that provides the College with the responsibility of determining which of its students are to receive financial assistance based upon policies established by the Administration.

Although the Governor found fault with other sections of H.B. 9-377 (which sections were left unchanged in H.B. 9-442), such faults do not necessitate a veto of H.B. 9-442.

H.B. 9-442 becomes Public Law No. 53.

Sincerely yours,

  
JESUS C. BORJA  
Acting Governor

cc: NMC President  
Scholarship Administrator

1



## HOUSE OF REPRESENTATIVES

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FOURTH REGULAR SESSION, 1995

PUBLIC LAW NO. 9-53  
HOUSE BILL NO. 9-442

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### AN ACT

To amend 3 CMC Sections 1305(b)(2); 1306; 1316(d), (e), (n) and (v); 1331(a); and for other purposes.

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#### Offered by Representatives:

Alvaro A. Santos.

Jesus T. Attao, Vicente T. Attao, Oscar M. Babauta, Diego T. Benavente,

Ramon C. Dela Cruz, Mametto U. Maratita, Maria T. Peter and Manuel A. Tenorio

Date: July 13, 1995

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#### HOUSE ACTION

Standing Committee Report: None

First and Final Reading: July 13, 1995

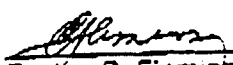
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#### SENATE ACTION

Referred to: Committee on Health, Education, Welfare and Programs

Standing Committee Report: None

Second and Final Reading: August 29, 1995

  
Evelyn C. Fleming  
House Clerk

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 9-53  
H. B. NO. 9-442

FOURTH SPECIAL SESSION, 1995

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AN ACT

To amend 3 CMC Sections 1305(b)(2); 1306; 1316(d), (e), (n) and (v);  
1331(a); and for other purposes.

BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Short Title. This Act shall be known and cited as the "Higher Education  
2 Act of 1995."

3           Section 2. Findings. The Legislature finds that protecting the accreditation of the  
4 Northern Marianas College is of paramount importance to the transferability of credits earned  
5 by students at the College, to the eligibility of those students for Federal financial aid, and to  
6 the continued eligibility of the College to receive Federal grant funding. The Legislature  
7 further finds that maintaining the autonomy of the Board of Regents in its constitutional and  
8 legally mandated duties, and of the College's Board approved personnel policies is essential to  
9 the maintenance of the College's accreditation.

10           Section 3. Purpose. The purpose of this Act is to clarify the responsibilities of the  
11 Board of Regents for establishing and maintaining the autonomy of a personnel system for the  
12 College, to relieve the Board of responsibility for establishing policy over and administering  
13 financial aid for college students, to assign to the College responsibility for providing  
14 government employee training, and for other purposes, by amending 3 CMC Sections  
15 1305(b)(2); 1306; 1316(d), (e), (n) and (v); 1332(a).

16           Section 4. Amendment. 3 CMC Section 1305(b)(2) is amended to read as follows:

17           "(2) To provide for the residents of the Commonwealth higher education  
18 community service programs, adult and adult continuing education, adult vocational  
19 and technical education, professional training programs for the improvement of private  
20 employee skills and training programs for Government employees. To establish  
21 vocational, occupational and technical, training center and professional development  
22 institute (hereinafter referred to as "institute") within the Northern Marianas College."

1 Section 5. Amendment. 3 CMC Section 1306 is amended to read as follows:

2 "Section 1306. Northern Marianas College: Establishment and Operation of  
3 Laboratory School. The College is hereby authorized to establish, administer and  
4 operate a laboratory school within the College for the purpose of teacher training. A  
5 laboratory school as used in this Chapter means a model school or classroom where  
6 new teaching methods, techniques and skills may be implemented, and where teachers  
7 and college students are trained under monitored conditions."

8 Section 6. Amendment. 3 CMC Section 1316 (d), (e), (n) and (v) are amended to read  
9 as follows:

10 "(d) To review eligibility based on established policy or criteria and to establish  
11 awards for all publicly funded financial assistance for the postsecondary education of  
12 Commonwealth students within the Commonwealth.

13 (e) To adopt, amend and repeal policies governing the conduct of its business  
14 and the performance of the powers and duties granted to or imposed upon it by law or  
15 the Constitution. Any action of the Board shall require a majority vote of the members  
16 present, a quorum being present.

17 "(n) To appoint and to terminate the President, officers, faculty, employees and  
18 staff of the College, and consistent with its adopted rules and regulations, to specify  
19 their responsibilities and authority, and to set their classifications and salaries.

20 "(v) To establish procurement policies for the College, and to expend fund  
21 appropriated by the Federal or Commonwealth government or donated to the College  
22 by any other entity."

23 Section 7. Amendment. 3 CMC Section 1331(a) is amended to read as follows:


24 "(a) Aside from such additional sums as may be appropriated annually by the  
25 Legislature for its financial support, the College shall be guaranteed an annual budget  
26 of not less than \$6,000,000.00 or one percent of the general revenues of the  
27 Commonwealth, whichever is greater. This annual financial support shall be used for  
28 the operations and service delivery of the College. The budgetary appropriation may  
29 not be reprogrammed for other purposes, and any unencumbered fund balance at the  
30 end of a fiscal year shall be available for reappropriation."

31 Section 8. Severability. If any provision of this Act or the application of any such  
32 provision to any person or circumstance should be held invalid by a court of competent  
33 jurisdiction, the remainder of this Act or the application of its provisions to persons  
34 circumstances other than those to which it is held invalid shall not be affected thereby.

1 Section 9. Savings Clause. This Act and any repealer contained herein shall not be  
2 construed as affecting any existing right acquired under contract or acquired under statutes  
3 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained  
4 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The  
5 enactment of this Act shall not have the effect of terminating, or in any way modifying, any  
6 liability civil or criminal, which shall already be in existence at the date this Act becomes  
7 effective.

8 Section 10. Effective Date. This Act shall take effect upon its approval by the  
9 Governor or upon its becoming law without such approval.

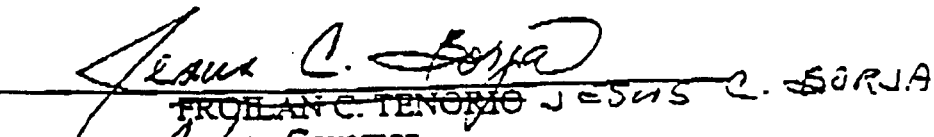
CERTIFIED BY:

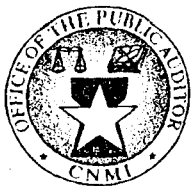
  
DIEGO T. BENAVENTE  
Speaker  
House of Representatives

ATTESTED BY:

  
EVELYN C. FLEMING  
House Clerk

APPROVED this 28<sup>th</sup> day of SEPTEMBER 1995

  
FROILAN C. TENORIO  
Acting Governor  
Commonwealth of the Northern Mariana Islands



## Office of the Public Auditor

Commonwealth of the Northern Mariana Islands

World Wide Web Site: <http://opacnmi.com>

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October 16, 2001

The Honorable Senator Joaquin G. Adriano  
Chairman, Senate Committee on Executive Appointments and Government Investigations  
12<sup>th</sup> Northern Marianas Commonwealth Legislature  
P.O. Box 500129  
Saipan, MP 96950

Dear Chairman Adriano:

**Subject: Testimony to the Senate Committee on Executive Appointments and Government Investigations Concerning the Nonresident Worker Fee Fund (Report No. M-01-03)**

In response to your request, the following presents the Office of the Public Auditor's testimony to the Senate Committee on Executive Appointments and Government Investigations concerning the Nonresident Worker Fee Fund (NRWF Fund) covering the period from April 29, 1987 (when Public Law [PL] 5-32 which established the NRWF Fund was enacted) to September 30, 2001.

The legislative background and financial information from fiscal years 1987 to 1999 are based on our review of applicable CNMI laws and of audited financial statements in the CNMI Government Single Audits and the Northern Marianas College (NMC) financial audits for fiscal years 1987 to 1999. For fiscal years 2000 to 2001, financial information is based on unaudited trial balances of the CNMI government general fund and NMC.

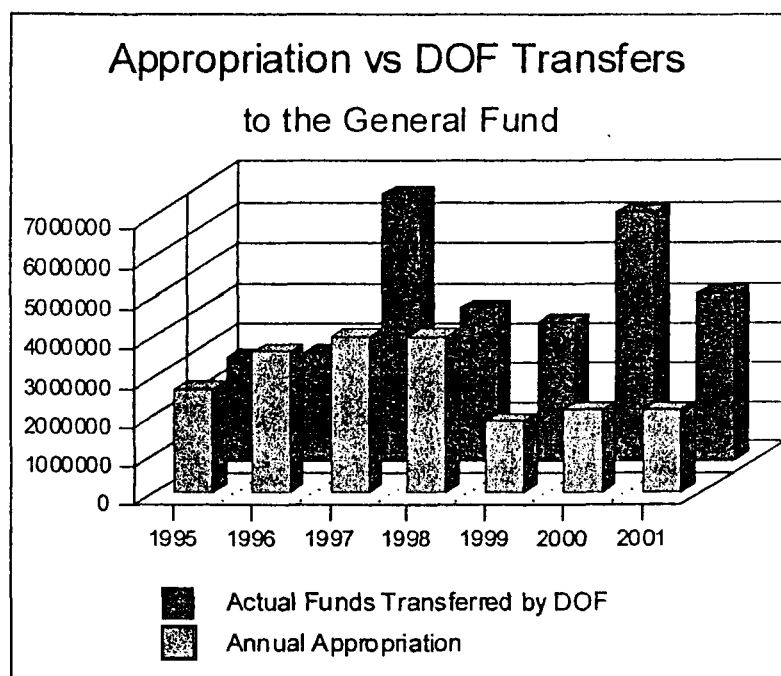
### **OVERVIEW OF THE NONRESIDENT WORKER FEE FUND**

Based on our review, the following public laws set forth the establishment, purpose and management of the Nonresident Worker Fee Fund:

#### **1987 - Public Law 5-32**

On April 29, 1987, PL 5-32 was enacted to amend various sections of the Nonresident Workers Act in 3 CMC §4411 et seq. One of the amendments established the NRWF Fund which was intended to finance programs aimed at alleviating the shortage of resident workers and reducing the need for nonresident workers. PL 5-32 provided that all fees collected for processing work certificates and entry permits of nonresident workers (annual fee of \$75) and their dependents (annual fee of \$25) should be deposited into a special fund to be known as the "Commonwealth

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***Appropriations, Actual Transfers & Expenditures of NMC Human Resource and Business Development Account***

Of the \$56 million NRWF Fund revenues for fiscal years 1987 to 2001, about 33% or \$18.45 million was transferred to the NMC Human Resource and Business Development (HRBD) account, previously known as the NMC Apprenticeship Account and also referred to within NMC as the *NMC Vocational Education (Voc Ed) Fund* account. This transfer of \$18.45 million is \$1.5 million less than the total appropriations of the fund between fiscal years 1987 to 2001.

Based on NMC records, the HRBD account has a deficit balance of \$1.07 million at the end of fiscal year 2001. Funds expended from this account totaled \$19.95 million (See Distribution of expenditures in Figure 4 and details in Schedule B). Figures for fiscal years 2000 and 2001, however, are unaudited and may still be subject to adjustments. Furthermore, we also noted a difference of \$551,807 between DOF and NMC audited financial statements in terms of amounts transferred to the Voc Ed Fund.



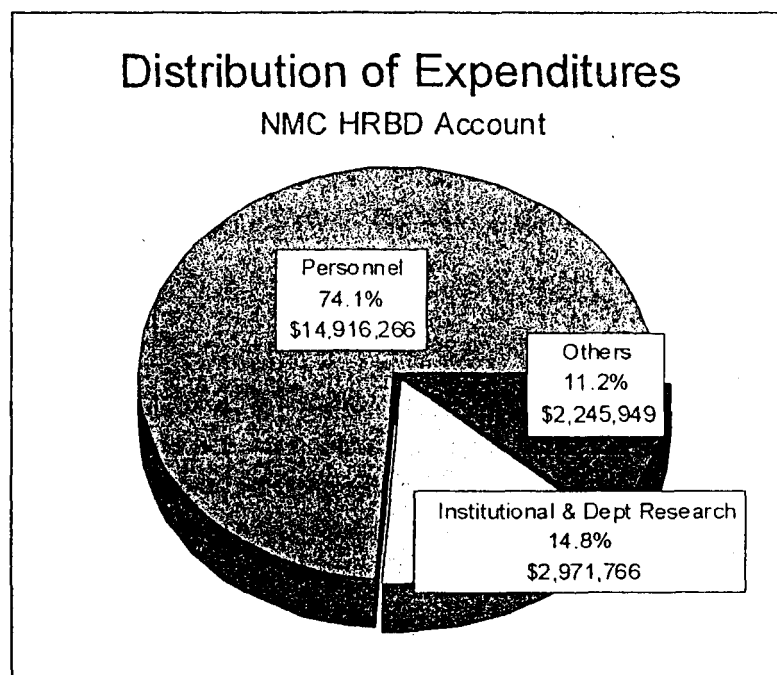


Figure 4

## OPA COMMENTS

We recommend that payments of expenditures and transfers of funds out of the NRWF Fund be made in accordance with approved annual appropriations as required by PL 10-66. This will ensure that funds are expended in accordance with their intended purposes and within budget limitations.

PL 10-66 requires NMC to submit an annual report on the funded programs prior to the end of every fiscal year. Since establishment of the NRWF Fund, NMC has reported the information concerning its Vocational Educational programs as part of its annual budget submission to the Legislature. We believe that NMC should also report the actual expenditures of the Vocational Education Fund to determine whether primary goals are met by the specific programs subsidized by the Voc Ed Fund. Furthermore, the nature of each major expenditure charged to the account should be well defined in the annual report. Any allocations of indirect expenses to the Voc Ed Fund should also be properly disclosed (i.e., if certain percentage of salaries for administrative employees is being charged to the Voc Ed Fund). Since our review of expenditures charged to the Voc Ed account revealed that 74% went to personnel expenditures, we find it necessary for NMC to provide a detailed payroll worksheet for those employees paid from the Voc Ed Fund. Information as to the name, department, position, title, and salary paid for each employee should be included in the payroll worksheet.

In a September 28, 2001 meeting with us, NMC officials stated that the Voc Ed Fund was being used primarily to support the payroll of the following programs: (1) School of Education, (2) Business Hospitality, (3) Workforce Training, (4) Nursing and (5) Small Business Development. These programs were consistent with the provisions of PL 10-66. However, NMC officials informed us that no details of actual expenditures have been submitted to the Legislature. They added that they can report the actual expenditures charged to the Voc Ed Fund if requested.

OPA also recommends that the Legislature considers redefining the objectives and accountability requirements of the Nonresident Worker Fee Fund. In our analysis of the NRWF Fund over the last 14 years, it appeared that the Fund's use has broadened in scope significantly. Is the NRWF Fund's primary objective, as expressed in PL 5-32, specifically and exclusively to *"finance programs aimed at alleviating the shortage of resident workers and reducing the need for nonresident workers?"* Can funds transferred to NMC from the NRWF Fund be commingled with its general operating funds and used to subsidize all of NMC's educational programs? If the intent is for the NRWF Fund to subsidize NMC's general operations, would NMC still be required to provide detailed accounting of NRWF Fund transferred to it or just report it as part of its general operating fund?

Thank you for the opportunity to provide information and comments concerning the Nonresident Worker Fee Fund.

Respectfully,



Michael S. Sablan  
Public Auditor

xc: Senate President  
Members of the Senate Committee on Executive Appointments and  
Government Investigation (5 copies)  
Special Assistant for Management and Budget  
Secretary of Finance  
NMC



**Jack Angello**

**From:** Annie Santos  
**Sent:** Wednesday, June 13, 2001 3:55 PM  
**To:** Jack Angello  
**Cc:** Ed Camacho  
**Subject:** FY 2001/2002 Budget Allotment

*nm*

Hi Jack,

I met with Dave Atalig regarding our budget for CE. The next schedule meeting will be next week Wednesday at 9:30 am in our conference room (building Y). Please make a note on your calendar. Prepare your budget before the meeting. The amount you need to work for your budget allotment for FY 2001/2002 is only \$2,000.. This is including all the programs that falls under Voc. Ed. . I know it seems too low, but work your figures as far as office supplies, others, etc. Do not budget for adjunct instructors, all adjunct instructors will be centralize under the Dean's office only, but I will need your inputs on your part as for the adjunct. What are the figures that you most likely used for adjunct instructors. Dave Atalig will be there to answer all your questions, otherwise do your justification to convince the budget board members in increasing your allotment for your program.

Email me for confirmations. I almost forgot to mention, we do not have to worry about budgeting for personnel. It will be all under OPS.

thanks  
annie

*GOOD LUCK 2K*

*120  
6*

**Jack Angello**

**From:** Bruce Johnson  
**Sent:** Monday, July 15, 2002 9:38 AM  
**To:** Jack Angello  
**Subject:** RE: Voc Ed Budget

**FORGET YOUR  
VOC BUDGET REQUEST**

Jack--

Problems with this budget.

First of all, your Part I is a description of the Languages Department. I need a couple of paragraphs describing your department.

More important, your Part III is totally out of whack:

- 1) The second column is for IP. Forget the 10-66. You're allotted some combination of Ops money and 10-66 money as determined by the Budget Officer.
- 2) Delete the Personnel expenses. This comes from elsewhere.
- 3) Include only line items that have expenses attached. Delete all those with zeros.
- 4) Where you include expenses for things, indicate what they are, e.g., Advertising, Printing & Photocopying--for what?
- 5) Base this on last year's submitted budget, which was only half-a-page and about \$53K.

I'm supposed to have this in to Dave Atalig by today. Please get this to me ASAP.

--Bruce

-----Original Message-----

**From:** Jack Angello  
**Sent:** Tuesday, July 09, 2002 5:24 PM  
**To:** Bruce Johnson  
**Subject:** Voc Ed Budget

Welcome back. Attached is a dual budget. One at the old sum of 5K, and a dream budget of 10-66 monies that I should get.

Jack

<< File: Part I 2003\$ >> << File: Part II 2003\$ >> << File: Part III 2003\$ >>

Jack Angello

From: Bruce Johnson  
Sent: Friday, August 02, 2002 1:13 PM  
To: Jack Angello  
Subject: BAC

Voc Ed Budget

Jack--

→ There's not much to yours.

- 1) The format is to specify travel fares and per diems to Tinian and Rota. There are standard prices. I think the Budget Office will clean this up.
- 2) You don't pay for office supplies for Tinian and Rota. They do. Indicate how much you need for Saipan only.
- 3) Be ready to detail the Instructional Materials and Supplies for \$3500.

--Bruce



Part III 2003\$.xls

FY 2003 BUDGET JUSTIFICATION  
VOCATIONAL EDUCATION DEPARTMENT

I. 52000 TRAVEL

52010 Admin Travel & Per Diem

BAC: Itemized/detailed breakdown of expenses is needed.

Item moved from OPS to OTHER (VPAA)

Director travel to Tinian & Rota (2x a year)

Category Total

Tuition &  
Fees (OPS)

IP

Other

TOTAL

500

500

\$0

\$0

\$500

\$500

II. 53000 SUPPLIES

53005 Office Supplies

Saipan

500

500

53010 Instructional Materials & Supplies

Saipan, Tinian & Rota Voc Classes

3500

3500

Category Total

\$4,000

\$0

\$0

\$4,000

III. 57000 OTHER

57060 Fuels and Lubricants

Blue Flatbed Truck, Cement Mixer

500

500

Category Total

\$500

\$0

\$0

\$500

BUDGET GRAND TOTAL

\$4,500

\$0

\$500

\$5,000

NO 10-66 \$ FOR  
VOC ED. NO  
TRAINING OPPORTUNITIES  
FOR OUR YOUTH.  
SO, HIGH CRIME AMONG  
YOUNG PEOPLE.

**Jack Angello**

**From:** David Atalig  
**Sent:** Tuesday, March 19, 2002 11:24 AM  
**To:** Jack Angello  
**Subject:** RE: Special Accounts for Voc Ed

PRA  
 June 19 ADJ

XBUS2 was used as a temporary place to put the monies, however, I will recommend to transfer the funds to XVA12 when I complete my analysis of all your funding sources and transfer them under the Division of Instruction. As far as your donation, please use XVA12 as the fundind code.

David Dlg. Atalig

-----Original Message-----

**From:** Jack Angello  
**Sent:** Tuesday, March 19, 2002 11:20 AM  
**To:** David Atalig  
**Subject:** RE: Special Accounts for Voc Ed

Dave---

Thanks. I was told that the fund code "XBUS02-44013-S-C150" was used for a \$650 Voc donation I put in recently. Is that code okay? Plus, I'm donating approx. 1 grand to our Voc program. What code should be used for the allotment transfer from my payroll check?

Jack

-----  
**From:** David Atalig  
**Sent:** Tuesday, March 19, 2002 8:25 AM  
**To:** Jack Angello  
**Cc:** Bruce Johnson; Tina Salas; Debbie Diaz  
**Subject:** Special Accounts for Voc Ed

Dr. Angello,

I have been informed of your recent deposit from ETC donation, etc. Good job in attaining funds for your program. Please be advised that the account code or fund code (VOC02) you indicated for the monies to be deposited is incorrect. Please use the special account (XVA12) for future deposits.

Thank you,

David Dlg. Atalig

Special Account  
 XVA12 - S-I810 Deposits + P.O.s  
 OPS & VOC02 - S-I810 OPS &  
 57015

**Jack Angello**

**From:** Martin Mendiola  
**Sent:** Monday, July 08, 2002 9:12 AM  
**To:** Jack Angello  
**Cc:** Severina Ogo  
**Subject:** Vocational Education Program Justification

The importance of Vocational Education is to offer relevant learning experiences for students so they can develop practical knowledge and skills, geared to their capabilities and interests in preparation for employment in entry level, semi-skilled and skilled occupation.

To offer opportunities for interested individuals to undergo Vocational and Technical Training as a means of upgrading their skills towards receiving the following benefits:

Personal enrichment for self-help.

A Career ladder enhancement.

Certificate of Achievement.

Associates of Applied Science Degree.

Vocational Education will also provide employment preparation for the more than half of High School Graduates and Community members that are Not College bound.

The challenges in Program Implementation and Investment Benefit:

The greatest challenge in initiating Vocational programs is the cost in providing the necessary Technical Equipment for Hands-on Training. To establish a successful professional technical program requires the concerted effort of our leaders in providing the financial support. This type of investment will net life-long benefits of personal growth and the increase in skills and knowledge of a more efficient and productive workforce.

**Jack Angello**

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**From:** Jim Wedding  
**Sent:** Tuesday, July 02, 2002 1:53 PM  
**To:** Danny Wyatt  
**Cc:** KRamon; Jack Angello  
**Subject:** Joe Celes

Dear Danny:

I have spoken to the interim President on this matter and it has been decided to enter into another Professional Services contract with Mr. Celes until such time that funding from PL 10-66 is available to support Vocation Education Program for instructors.

Mr. Celes instructs our 2+2 program at Tinian High School and regularly enrolled NMC students. Mr. Celes is scheduled to teach the following courses for Fall '02: Auto Service 1 & Auto Service 2, and Construction Trades 1. Mr. Celes will also be conducting short courses in small engine repair throughout the academic year.

In regards to Spring '03-the courses taught by Mr. Celes will be continuations of the Fall semester offerings and special projects as approved by Dr. Angello, Department Chair.

Mr Celes' salary is \$30,000 per annum, paid bi-weekly, starting August 1, 2002 and ending May 31, 2002.

I trust that this request will be completed expeditiously.

Thank you.

/s/ Jim

# SAIPAN TRIBUNE

8 THURSDAY, AUGUST 1, 2002

LOCAL

## NMC offers new courses this Fall

In a continuing effort to expand the richness and diversity of its course offerings, the Northern Marianas College's Division of Instruction is introducing several new courses this Fall semester.

In response to numerous student requests, the Languages, Literature and Communication Department is offering Elementary Spanish I (SP 101), a beginning level course in one of the world's most widespread languages.

Also offered for the first time is an expanded course in one of the Commonwealth's indigenous languages, Elementary Carolinian I (CA 101), which includes listening/speaking and reading/writing components for beginners.

The Health, Physical Educa-

tion and Athletics Department is introducing two new courses—Windsurfing (PE 165), and Fitness for Sports (PE 147), a comprehensive approach to achieving all-around physical fitness.

The Sciences and Mathematics Department, as an entrée to a proposed full Natural Resource Management program, will be offering Agricultural Science (BI 106) and Plant Science (BI 141). Emphasis throughout will be on developing skills relating to the local environment.

The Business, Hospitality and Computer Technology Department adds Leadership Principles (MG 245) to its schedule, a course designed to prepare students to effectively motivate and manage others. The Vocational

Education Department continues with its popular film/video production program by adding Introduction to Media Arts (AV 100), Introduction to Screenwriting & Acting (AV 105), Advanced AV Production (AV 210), and Advanced AV Post Production (AV 220).

Also, though it has been offered on the other campuses before, Auto Service I and II (AS 110 and AS 120) will be offered for the first time on Rota this fall. More vocational education courses are expected to be available on all NMC campuses as demand grows.

For more information on these courses, interested students should call their advisor or the appropriate department chair.

## Council mulled to awaken sleeping arrival statistics

By JOHN RAVELO  
REPORTER

Tourism industry players are in the process of forming a council with government representatives to strengthen the marketing and promotion of the Northern Marianas.

A meeting at the DFS Saipan training room at 10am today was called among prospective members of the Visitor Industry Education Council, Glimpses Advertising Saipan said. Key industry players attended a meeting earlier this month.

Among those who attended the first meeting were Lt. Gov. Diego T. Benavente, Marianas Visitors Authority Board Chair Dave M. Sablan and MVA Managing Director Jonas Ogren.

Sablan and Ogren agreed with the idea of a government-private sector effort to strengthen tourism awareness.

## Tour coc

Ten days after her appearance, there word about the wh the tour coordinat been reported missi 25, police said yest

As of late yeste of Chiharu Umey: ployee of the Hide Services, were stil the 39-year-o woman's disappe: ance.

Public Safe spokesperson Rose Ada said th Umeyama Jap nese natic al, v last seen wearin: red, checkered s with khaki pants.

The missing 5'3" tall, weighin: brown eyes and t described.

Umeyama's c saw her getting around 5:43pm la their office based Hotel premises i

The followin that, the woman ing for work, Ac

Umeyama v

Voc Ed Need 10-66 #1

9